

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST LITIGATION (NO.
II)**

**Case No. 3:23-md-3071-WDC-BDH
MDL 3071**

**This document relates to:
ALL ACTIONS**

**Chief Judge Waverly D. Crenshaw,
Jr.**

Magistrate Judge Barbara D. Holmes

**STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING SCHEDULE FOR
APPOINTMENT OF INTERIM LEAD COUNSEL PURSUANT TO FED. R. CIV. P. 23(g)**

WHEREAS, on April 10, 2023, the Judicial Panel on Multidistrict Litigation (“JPML”) centralized actions challenging a contract, combination, and conspiracy among lessors of multifamily and student residential real estate leases and RealPage, Inc. (“RealPage”), to exchange commercially sensitive information and coordinate prices and supply for rental units across the United States;

WHEREAS, on April 19, 2023, the Court issued an Order, amongst other matters: (i) scheduling an Initial Status Conference for May 31, 2023; (ii) setting a deadline of May 24, 2023, for the parties to submit joint statements on case progression and scheduling; and (iii) ordering that if a group of parties wish to propose a person or persons for consideration as plaintiffs’ lead counsel, and/or as members on plaintiffs’ steering committee or as liaison counsel, the parties shall submit a short summary of the nominee’s qualifications in relation to the factors enumerated in the Order under seal (“Leadership Applications”) (ECF No. 3, “April 19 Order”);

WHEREAS, Plaintiffs with actions filed to date respectfully submit that it would be efficient to establish an agreed-upon procedure for any competing motions for the appointment of plaintiffs' lead counsel, plaintiffs' steering committee and/or plaintiffs' liaison counsel pursuant to the April 19 Order in advance of the joint statement set to be filed by May 24, 2023;

WHEREAS, Plaintiffs believe that non-confidential information contained within Leadership Applications may be appropriately filed on the public docket so that class members and the public can understand the basis for the Court's ultimate appointments;

WHEREAS, Defendants take no position on Plaintiffs' stipulation;

IT IS HEREBY STIPULATED AND AGREED, by Plaintiffs, subject to the Court's approval, that:

1. Any Plaintiff Leadership Application(s) shall be filed with the Court no later than May 5, 2023;
2. Portions of Plaintiff Leadership Applications without confidential information may be filed without sealing, and may include supporting documents as exhibits if warranted (e.g., copies of firm resumes, supporting declarations); and
3. Unless otherwise ordered by the Court, this Order shall apply to any action filed in, transferred to, or removed to this Court, which relates to the subject matter at issue in the Actions.

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld (BPR #26014)
HERZFELD SUETHOLZ GASTEL
LENISKI AND WALL PLLC
223 Rosa L. Parks Avenue, Suite 300
Nashville, TN, 37203
Telephone: 615-800-6225
tricia@hs glawgroup.com

/s/ Mark P. Chalos

Mark P. Chalos (Tennessee Bar No. 19328)
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
222 2nd Avenue South, Suite 1640
Nashville, TN 37201-2379
Phone: 615.313.9000
Fax: 615.313.9965

*Counsel for Plaintiffs Brandon Watters and
David Precht*

mchhalos@lchb.com

Counsel for Plaintiff Morgan

Archie C. Lamb, Jr., Esq.
Fla. Bar No. 742597
alamb@archielamb.com
ARCHIE LAMB &
ASSOCIATES
P.O. Box 2088
Birmingham, Alabama 35201
205-612-6789 (C)

Counsel for Plaintiffs Matteo Marchetti and Shelley Schmidig

Gerald J. Rodos
Jeffrey A. Barrack
Andrew J. Heo
BARRACK, RODOS &
BACINE
2001 Market Street, Ste. 3300
Philadelphia, PA 19103
Tel.: (215) 963-0600
Fax: (215) 963-0838
grodos@barrack.com
jbarrack@barrack.com
aheo@barrack.com

Stephen R. Basser
Sam M. Ward
BARRACK, RODOS &
BACINE
600 West Broadway, Ste. 900
San Diego California, CA
92101
Tel.: (619) 230-0800
Fax: (619) 230-1874
sbasser@barrack.com
sward@barrack.com

Counsel for Plaintiff Spencer and Bauman

Eric L. Cramer
Michaela L. Wallin
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: (215) 875-3000
Email: ecramer@bm.net
Email: mwallin@bm.net

Daniel E. Gustafson
dgustafson@gustafsongluek.com
Daniel C. Hedlund
dhedlund@gustafsongluek.com
Daniel J. Nordin
dnordin@gustafsongluek.com
Shashi K. Gowda
sgowda@gustafsongluek.com
GUSTAFSON GLUEK PLLC
Canadian Pacific Plaza
120 South Sixth Street, Suite
2600
Minneapolis, MN 55402
Telephone: (612) 333-8844

Dennis Stewart
dstewart@gustafsongluek.com
GUSTAFSON GLUEK PLLC
600 W Broadway, Suite 3300
San Diego, CA 92101
Telephone: (619) 595-3299

Counsel for Plaintiffs Pham, Lazarte, Cuevas, Anderson, Poole, and Flowers

Steve W. Berman,
Breanna Van Engelen
HAGENS BERMAN SOBOL
SHAPIRO LLP
1301 Second Avenue, Suite
2000
Seattle, Washington 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
Email: steve@hbsslaw.com
Email: breannav@hbsslaw.com

Rio S. Pierce
HAGENS BERMAN SOBOL
SHAPIRO LLP
715 Hearst Ave., Suite 202
Berkeley, CA 94710
riop@hbsslaw.com
hannahso@hbsslaw.com

Counsel for Plaintiffs Navarro, Cherry, Kramer, Weller, Morgan, Armas, Johnson,

Kate M. Baxter-Kauf
Heidi M. Silton
Brian D. Clark
W. Joseph Bruckner
LOCKRIDGE GRINDAL
NAUEN P.L.L.P.
100 Washington Avenue South,
Suite 2200
Minneapolis, MN 55401
Telephone: (612) 339-6900
Facsimile: (612) 339-0981
kmbaxter-kauf@locklaw.com
hmsilton@locklaw.com
bdclark@locklaw.com
wjbruckner@locklaw.com

Counsel for Plaintiff Johnson

Vincent Briganti
Christian P. Levis
Peter Demato
Radhika Gupta
rgupta@lowey.com
LOWEY DANNENBERG, P.C.
44 South Broadway, Suite 1100
White Plains, NY 10601
Telephone: (914) 997-0500
Fax: (914) 997-0035
vbriganti@lowey.com
clevis@lowey.com
pdemato@lowey.com
rgupta@lowey.com

Counsel for Plaintiffs Kramer, White, Watters, Bertlshofer, Weaver, Boelens, Parker, and Corradino, Carter, Vincin, et al.

Thomas J. Undlin
Stacey Slaughter
Geoffrey H. Kozen
J. Austin Hurt
ROBINS KAPLAN LLP
800 LaSalle Avenue, Suite 2800
Minneapolis, MN 55402
Telephone: (612) 349-8500
Facsimile: (612) 339-4181
tundlin@robinskapan.com
ssllaughter@robinskapan.com
gkozen@robinskapan.com

Daniel J. Walker
BERGER MONTAGUE PC
2001 Pennsylvania Avenue,
NW, Suite 300
Washington, DC 20006
Telephone: (202) 559-9745
Email: dwalker@bm.net

Counsel for Plaintiff Morgan

Timothy D. Battin
Christopher V. Le
BOIES BATTIN, LLP
4041 University Drive, 5th
Floor
Fairfax, VA 22030
Telephone: (703) 764-8700
tbattin@boiesbattin.com
cle@boiesbattin.com

*Counsel for Plaintiff Lai
Cheong*

Michael J. Boni
Joshua D. Snyder
BONI, ZACK & SNYDER
LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004
Tel: 610-822-0200
Fax: 610-822-0206
Email: mboni@bonizack.com
jsnyder@bonizack.com

*Counsel for Plaintiff Jeremy
Enders*

Joel D. Smith
Brittany S. Scott
BURSOR & FISHER, P.A.
1990 North California Blvd.,
Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
Email: jsmith@bursor.com
Email: bscott@bursor.com

Counsel for Plaintiff Armas

*Silverman, Bohn, Godfrey,
Zhovmiruk, Hardie, et al.*

George Farah
HANDLEY FARAH &
ANDERSON PLLC
33 Irving Place
New York, NY 10003
Telephone: (212) 477-8090
Facsimile: (844) 300-1952
gfarah@hfjustice.com
William Anderson
5353 Manhattan Circle, Suite
204
Boulder, CO 80303
Telephone: (303) 800-9109
Facsimile: (844) 300-1952
wanderson@hfjustice.com

Counsel for Plaintiff Zhovmiruk

Jason Scott Hartley
HARTLEY LLP
101 W. Broadway, Suite 820
San Diego, CA 92101
Telephone: (619) 400-5822
Email: hartley@hartleyllp.com

Counsel for Plaintiff Morgan

Gary I. Smith, Jr.
HAUSFELD LLP
600 Montgomery Street, Suite
3200
San Francisco, CA 94111
Telephone: (415) 633-1908
Email: gsmith@hausfeld.com

Swathi Bojedla
HAUSFELD LLP
888 16th Street, N.W., Suite
300
Washington, DC 20006
Telephone: (202) 540-7200
Email: sbojedla@hausfeld.com

Katie R. Beran
HAUSFELD LLP
325 Chestnut Street, Suite 900
Philadelphia, PA 19106

ahurt@robinskaplan.com

*Counsel for Plaintiffs Kramer,
White, Watters, Bertlshofer,
Weaver, Boelens, Parker, and
Corradino, Carter, Vincin, et al.*

Todd M. Schneider
Matthew S. Weiler
J. Caleigh Macdonald
SCHNEIDER WALLACE
COTTRELL KONECKY LLP
2000 Powell St., Ste. 1400
Emeryville, CA
Tel: (415) 421-7100
tschneider@schneiderwallace.com
mweiler@schneiderwallace.com
jmacdonald@schneiderwallace.co
m

Peter B. Schneider
SCHNEIDER WALLACE
COTTRELL KONECKY LLP
3700 Buffalo Speedway, Suite 960
Houston, Texas 77098
Tel: (713) 338-2560
pschneider@schneiderwallace.co
m

Counsel for Plaintiff Crook

David R. Scott
Amanda Lawrence
Patrick McGahan
Michael Srodoski
G. Dustin Foster
SCOTT+SCOTT ATTORNEYS
AT LAW LLP
156 South Main Street
P.O. Box 192
Colchester, CT 06145
Telephone: (860) 537-5537
Facsimile: (860) 537-4432
david.scott@scott-scott.com
alawrence@scott-scott.com
pmcgahan@scott-scott.com
msrodoski@scott-scott.com
gfoster@scott-scott.com

Patrick J. Coughlin

Jennifer W. Sprengel
Daniel O. Herrera
Alexander Sweatman
CAFFERTY CLOBES
MERIWETHER &
SPRENGEL LLP
135 S. LaSalle, Suite 3210
Chicago, IL 60603
Tel: 312-782-4880
Fax: 312-782-4485
jsprengel@caffertyclobes.com
dherrera@caffertyclobes.com
asweatman@caffertyclobes.co
m

*Counsel for Plaintiff Tiffany
Mackie*

Karin B. Swope
kswope@cpmlegal.com
Galen K. Cheney
gcheney@cpmlegal.com
COTCHETT, PITRE &
McCARTHY, LLP
999 N. Northlake Way, Suite
215
Seattle, WA 98103
Telephone: (206) 802-1272
Facsimile: (650) 697-0577

Adam J. Zapala
azapala@cpmlegal.com
Elizabeth T. Castillo
ecastillo@cpmlegal.com
James G. Dallal
jdallal@cpmlegal.com
Gayatri Raghunandan
graghunandan@cpmlegal.com

COTCHETT, PITRE &
McCARTHY, LLP
840 Malcolm Road
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577

*Counsel for Plaintiffs Pham,
Lazarte, Cuevas, Anderson,
Poole, and Flowers*

Telephone: 1 215 985 3270
Email: kberan@hausfeld.com

Counsel for Plaintiff Morgan

Tricia R. Herzfeld (BPR
#26014)
Anthony A. Orlandi (BPR
#33988)
HERZFELD SUETHOLZ
GASTEL LENISKI AND
WALL, PLLC
223 Rosa L. Parks Avenue,
Suite 300
Nashville, TN 37203
Telephone: (615) 800-6225
tricia@hsglawgroup.com
tony@hsglawgroup.com

*Counsel for Plaintiffs Brandon
Watters and David Precht*

Israel David
Blake Hunter Yagman
ISRAEL DAVID LLC
17 State Street, Suite 4010
New York, New York 10004
Telephone: (212) 739-0622
Facsimile: (212) 739-0628
israel@israeldavidllc.com
blake.yagman@davidllc.com

Counsel for Plaintiff Silverman

JOSEPH SAVERI LAW FIRM,
LLP
Joseph R. Saveri
Steven N. Williams
Cadio Zirpoli
Kevin E. Rayhill
601 California Street, Suite
1000
San Francisco, CA 94108
Telephone: (415) 500-6800
Email:
jsaveri@saverilawfirm.com
swilliams@saverilawfirm.com
czirpoli@saverilawfirm.com
krayhill@saverilawfirm.com

Carmen A. Medici
Fatima Brizuela
SCOTT+SCOTT ATTORNEYS
AT LAW LLP
600 West Broadway, Suite 3300
San Diego, CA 92101
Telephone: (619) 798-5325
Facsimile: (619) 233-0508
pcoughlin@scott-scott.com
cmedici@scott-scott.com
fbrizuela@scott-scott.com

Kristen Anderson
SCOTT+SCOTT ATTORNEYS
AT LAW LLP
The Helmsley Building
230 Park Avenue, 17th Floor
New York, NY 10169
Telephone: (212) 223-6444
kanderson@scott-scott.com

*Counsel for Plaintiffs Kramer,
White, Watters, Bertlshofer,
Weaver, Boelens, Parker, and
Corradino, Carter, Vincin, et al.*

Rusty E. Glenn
SHUMAN, GLENN &
STECKER
600 17th Street, Suite 2800 South
Denver, CO 80202
Telephone: (303) 861-3003
Facsimile: (303) 536-7849
rusty@shumanlawfirm.com

*Counsel for Plaintiffs Weaver,
Enders, and Mackie*

Bruce W. Steckler
STECKLER WAYNE & LOVE
PLLC
12720 Hillcrest Road, Ste. 1045
Dallas, TX 75230
Telephone: 972-387-4040
Facsimile: 972-387-4041
bruce@swclaw.com

Paul D. Stickney
12720 Hillcrest Road, Ste. 1045
Dallas, TX 75230

Lindsey C. Grossman
Michael Criden
CRIDEN & LOVE, P.A.
7301 SW 57th Court, Suite 515
South Miami, Florida 33143
Telephone: (305) 357-9000
Facsimile: (305) 357-9050
lgrossman@cridenlove.com
mcriden@cridenlove.com

Attorneys for Plaintiffs
Priscilla Parker, Patrick
Parker, Barry Amar-Hoover,
Zachary Miller Corradino, and
Samantha Taylor Reyes

Gregory S. Asciolla
Karin E. Garvey
Veronica M. Bosco
Johnny M. Shaw
DICELO LEVITT, LLC
485 Lexington Avenue, Suite
1001
New York, New York 10017
Telephone: (646) 933-1000
gasciolla@dicelolevitt.com
kgarvey@dicelolevitt.com
vbosco@dicelolevitt.com
jshaw@dicelolevitt.com

Brian M. Hogan
DICELO LEVITT, LLC
Ten North Dearborn Street,
Sixth Floor
Chicago, Illinois 60602
Telephone: (312) 214-7900
bhogan@dicelolevitt.com

Counsel for Plaintiff Bohn
Jeffrey B. Kaplan, Esq.
Maria V. Ceballos, Esq.
DIMOND KAPLAN &
ROTHSTEIN, P.A.
2665 South Bayshore Drive,
PH-2B
Miami, Florida 33133
Telephone: (305) 374-1920
jkaplan@dkrpa.com
vceballos@dkrpa.com

*Counsel for Plaintiffs Matteo
Marchetti and Shelley Schmidig*

Janet M. Herold
Benjamin D. Elga
Lucy B. Bansal
JUSTICE CATALYST LAW
40 Rector Street, Floor 9
New York, NY 10006
Telephone: (518) 732-6703
Email:
jherold@justicecatalyst.org
Email:
belga@justicecatalyst.org
Email:
lbansal@justicecatalyst.org

Counsel for Plaintiff Morgan

Christopher M. Burke
cburke@koreintillery.com
Walter W. Noss
wnoss@koreintillery.com
Yifan (Kate) Lv
klv@koreintillery.com
KOREIN TILLERY P.C.
707 Broadway, Suite 1410
San Diego, CA 92101
Telephone: (619) 625-5621
Fax: (314) 241-3525

*Counsel for Plaintiff
Bertlshofer*

Benjamin J. Widlanski (Fla.
Bar No. 1010644)
bwidlanski@kttlaw.com
Javier A. Lopez (Fla. Bar No.
16727)
jal@kttlaw.com
KOZYAK TROPIN &
THROCKMORTON LLP
2525 Ponce de Leon Blvd., 9th
Floor
Coral Gables, Florida 33134
Telephone: (305) 372-1800

*Counsel for Plaintiffs Matteo
Marchetti and Shelley Schmidig*

Telephone: 972-387-4040
judgestick@gmail.com

*Counsel for Plaintiffs Spencer and
Bauman*

J. Gerard Stranch IV (BPR
#23045)
STRANCH, JENNINGS &
GARVEY, PLLC
223 Rosa L. Parks Avenue, Ste.
200
Nashville, TN 37203
Tel: (615) 254-8801
Fax: (615) 255-5419
gstranch@stranchlaw.com

Counsel for Plaintiff Bauman

Kevin S. Landau
klandau@tcllaw.com
Brett Cebulash
bcebulash@tcllaw.com
Gwendolyn Nelson
gnelson@tcllaw.com
TAUS, CEBULASH &
LANDAU, LLP
123 William Street, Suite 1900A
New York, New York 10038
Telephone: (212) 931-0704

*Counsel for Plaintiffs Pham,
Lazarte, Cuevas, Anderson, Poole,
and Flowers*

Beth E. Terrell
Email:
bterrell@terrellmarshall.com
Blythe H. Chandler
Email:
bchandler@terrellmarshall.com
TERRELL MARSHALL LAW
GROUP PLLC
936 North 34th Street, Suite 300
Seattle, Washington 98103
Telephone: (206) 816-6603
Facsimile: (206) 319-5450

Counsel for Plaintiff Moore

Counsel for Plaintiffs
Christopher Saloman and
Michael Strauss

Jay Edelson
jedelson@edelson.com
Benjamin H. Richman
brichman@edelson.com
David Mindell
dmindell@edelson.com
Alexander G. Tieovsky
atievsky@edelson.com
EDELSON PC
350 N. LaSalle Street, 14th
Floor
Chicago, Illinois 60654
Tel: (312) 589.6370
Fax: (312) 589.6378

Rafey Balabanian
rbalabanian@edelson.com
Todd Logan
tlogan@edelson.com
Yaman Salahi
ysalahi@edelson.com
P. Solange Hilfinger-Pardo
shilfingerpardo@edelson.com
EDELSON PC
150 California Street, 18th
Floor
San Francisco, California
94111
Tel: (415) 212.9300
Fax: (415) 373.9435

*Counsel for Plaintiffs Alvarez
and Halliwell*

David B. Rochelson
Email:
drochelson@garwingerstein.co
m
Deborah Elman
Email:
delman@garwingerstein.com
GARWIN GERSTEIN &
FISHER LLP
88 Pine Street, 10th Floor
New York, New York 10005

Austin Cohen, Esquire
Keith Verrier, Esquire
LEVIN SEDRAN & BERMAN
510 Walnut Street, Ste. 500
Philadelphia, PA 19106
Telephone: (215) 592-1500
acoohen@lfsblaw.com
kverrier@lfsblaw.com

Counsel for Plaintiff Hardie

Mark P. Chalos (Tennessee Bar
No. 19328)
Hannah R. Lazarz (Tennessee
Bar No. 038756)
LIEFF CABRASER
HEIMANN & BERNSTEIN,
LLP
222 2nd Avenue South, Suite
1640

Nashville, TN 37201-2379
Phone: 615.313.9000
Fax: 615.313.9965
mchalos@lchb.com
hlazarz@lchb.com

Brendan P. Glackin
Dean M. Harvey
LIEFF CABRASER
HEIMANN &
BERNSTEIN, LLP
275 Battery Street, Suite 2900
San Francisco, CA 94111
Telephone: 415-956-1000
Email: bglackin@lchb.com
Email: dharvey@lchb.com

Dan Drachler, WSBA #27728
LIEFF CABRASER
HEIMANN &
BERNSTEIN, LLP
1904 Third Avenue, Suite 1030
Seattle, WA 98101
Telephone: (206) 895-5005
Facsimile: (206) 895-3131
Email: ddrachler@lchb.com

*Counsel for Plaintiffs Morgan,
Barnes, Bason, Diboki, Sims,
Winn, and Woodland*

S. Ferrell Alman, Jr.
David M. Wilkerson
dwilkerson@vwlawfirm.com
THE VAN WINKLE LAW FIRM
11 N. Market Street
Asheville, NC 28801
Telephone: (828) 258-2991
Facsimile: (828) 257-2767

Counsel for Plaintiff Godfrey

Samuel J. Strauss
Email: sam@turkestrauss.com
TURKE & STRAUSS LLP
613 Williamson St., Suite 201
Madison, WI 53703
Telephone: (608) 237-1775
Facsimile: (608) 509-4423
Seattle, WA 98101

*Attorney for Plaintiff Laura
Boelens*

Kenneth A. Wexler
kaw@wbe-llp.com
Justin N. Boley
jnb@wbe-llp.com
Melinda J. Morales
mjm@wbe-llp.com
Margaret Shadid
ms@wbe-llp.com
WEXLER BOLEY &
ELGERSMA LLP
311 S. Wacker Drive, Ste. 5450
Chicago, IL 60606
Telephone: (312) 346 2222

*Counsel for Plaintiffs Pham,
Lazarte, Cuevas, Anderson, Poole,
and Flowers*

David M. Cialkowski
david.cialkowski@zimmreed.com
Ian F. McFarland
ian.mcfarland@zimmreed.com
ZIMMERMAN REED LLP
1100 IDS Center, 80 S. 8th St.
Minneapolis, MN 55402
Telephone: (612) 341-0400

Telephone: (212) 398-0055

Counsel for Plaintiff Moore

Joseph J. DePalma
Steven J. Greenfogel
LITE DEPALMA
GREENBERG & AFANDOR,
LLC
570 Broad Street, Suite 1201
Newark, NJ 07102
Telephone: (973) 623-3000
Facsimile: (973) 623-0858
jdepalma@litedepalma.com
sgreenfogel@litedepalma.com

*Counsel for Plaintiffs Pham,
Lazarte, Cuevas, Anderson, Poole,
and Flowers*

Counsel for Plaintiff Zhovmiruk

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 26th day of April, 2023.

/s/ *Tricia R. Herzfeld*
Tricia R. Herzfeld